

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : RAMAJOIS, R.
Appl. No. : 10/766,917
Filed : January 30, 2004
Title : GEAR HOUSING VENT
Group Art Unit : 3682
Examiner : PILKINGTON, J.
Docket No. : 08200.809

PETITION UNDER 37 CFR 1.181 TO RECONSIDER
OBJECTION TO DRAWINGS

October 12, 2007

Mail Stop Petitions
Director of the US PTO
P.O. Box 1450,
Alexandria, Virginia 22313-1450

Sir:

In response to the Final Action dated July 12, 2007, Applicant hereby petitions to reconsider the objection to the drawings of the above referenced non-provisional patent application under 37 CFR 1.83(a). Applicant has concurrently filed a notice of appeal together herewith.

The drawings were objected to by the Examiner under 37 CFR 1.83(a) for failing to show in the drawings “said at least one hole through said sidewall includes two holes” as recited in claim 4. Applicant respectfully disagrees. Figs. 1 and 2 of the present application clearly show a pair of vent holes 15 is provided along through a side wall surface of the vent tube 3 (see also page 4, lines 10-14).

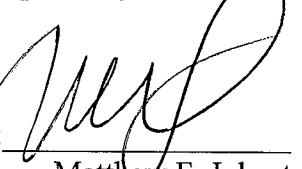
Appl. No. 10/766,917
In re RAMAJOIS, R.

It is noteworthy that this identical issue was previously raised in a petition filed in related U.S. application 11/139,533. That petitions (a copy of which is attached hereto) was granted on August 16, 2007. In hta review it was determined that figures 1 % 2 clearly show at least two holes. Contrary to the Examiner's conclusion, the claim does not require a hole within a hole.

Therefore, because the drawings clearly show the claimed holes coupled with the previously decided petition, Applicant hereby requests that the drawing objections be withdrawn.

Applicant hereby also authorizes the Director to charge applicant's representative's charge account 50-0548 for any necessary fee set forth in 37 CFR § 1.17.

Respectfully submitted,

By: 
Matthew F. Johnston
Reg. No. 41,096

Berenato, White & Stavish
6550 Rock Spring Drive, Suite 240
Bethesda, Maryland 20817-1132
Tel. (301) 896-0600
Fax (301) 896-0607



UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 17 2007
Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BERENATO, WHITE & STAVISH, LLC
6550 ROCK SPRING DRIVE
SUITE 240
BETHESDA MD 20817

MAILED
FROM DIRECTOR'S OFFICE

AUG 16 2007

TECHNOLOGY CENTER 3600

In re Application of
Ramajois et al.

Appl. No. 11/139,533
Filed: May 31, 2005
For: GEAR HOUSING VENT

8200 . 1097

Petition to Withdraw Objection to
Drawings Under 37 CFR 1.181

This is a decision on Applicant's Petition under 37 CFR 1.181 filed on March 13, 2007 to have reconsidered and withdrawn the objections to the drawings under 37 CFR 1.83(a).

The Petition is **GRANTED**.

In a Non-Final Office Action dated February 23, 2006 the drawings were objected to under 37 CFR 1.83(a) for not showing every feature of the claimed invention. Specifically, claim 3 recites "a sidewall having at least one hole" and claim 4, depending from claim 3, recites "wherein said at least one hole...includes two holes...". The aforementioned Office Action objected to the drawings for not showing the claimed features of claim 4.

By way of the instant petition, the applicant argues that figures 1 and 2 of the present invention show a pair of vent holes 15 provided along through a side wall surface of the vent tube 3.

A review of both the drawings and claims indicated that where claim 3 requires "at least one hole", claim 4 simply serves to further limit claim 3 by in essence reciting at least two holes. Figures 1 & 2 clearly show at least two holes. Accordingly, the drawings comply with 37 CFR 1.83(a). The objection to the drawings is hereby withdrawn and the case forwarded to the examiner for further action.

The Petition is **GRANTED**.

Any questions regarding this decision should be directed to Richard Ridley at 571-272-6917.



Kathy Matecki

Director TC 3600
Technology Center 3600
572-272-6951

140